

REMARKS

Imposed Restriction Requirement

In the Office Action dated November 30, 2009, the Office imposed a restriction requirement under 35 U.S.C. §121 against the pending claims and requested applicants choose a species as set forth below recreated from the text of the office action:

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

azo-bonded 4-APAA compounds;

non-azo-bonded 4-APAA compounds;

azo-bonded 5-ASA compounds;

non-azo-bonded 5-ASA compounds; and

4-APAA compounds azo-bonded to 5-ASA compounds.

Initially it should be noted that applicants' invention must include a first and second therapeutic compound to form the claimed composition, as shown below:

1. A pharmaceutical composition comprising:

a first therapeutic agent selected from the group consisting of:

azo-bonded 4-APAA compound;

non-azo bonded 4-APAA compound;

azo-bonded 5-ASA compound;

non-azo bonded 5-ASA compound; and

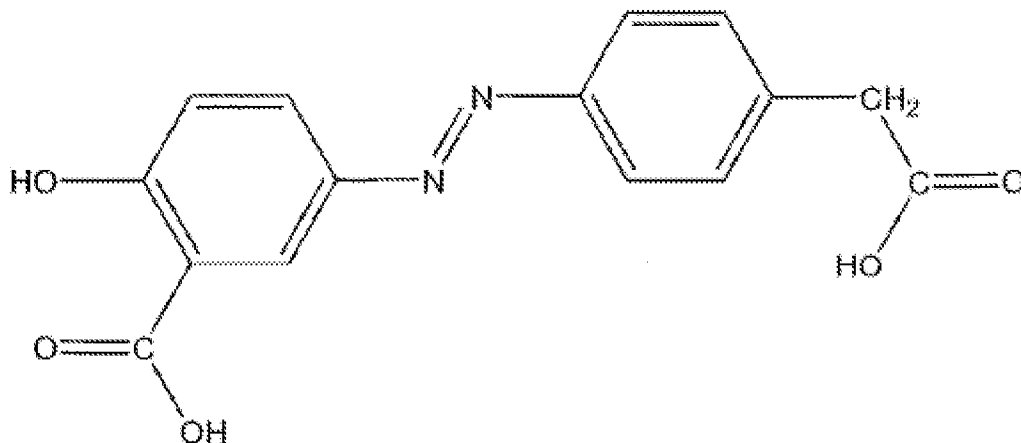
a second therapeutic agent comprising a

4-APAA compound azo bonded to a 5-ASA compound.

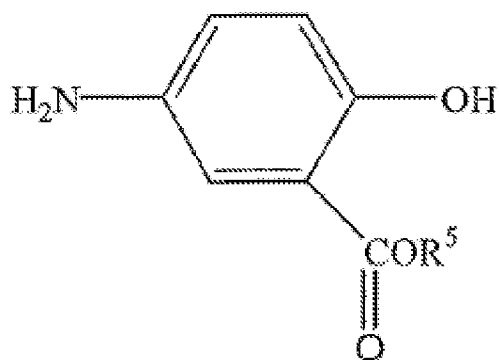
Thus applicants must pick two from the above list that being

1. non-azo bonded 5-ASA compound; and
2. 4-APAA compounds azo-bonded to 5-ASA compounds.

The structure for the 4-APAA compounds azo-bonded to 5-ASA compound is as follows:



The non-azo bonded 5-ASA compound has the following structure:



where R^5 is selected from the group consisting of hydrogen and C_1 to C_4 alkyl,

The above compounds are covered within the scope of claim 1-9, 15, 30, 33, 35, 37 and 39.

If any issues remain outstanding, Examiner Spivack is requested to contact the undersigned attorney at (919) 286-8089.

Respectfully submitted,
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